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A
COLLECTION
OF SUCH
ACTS OF THE SYNOD
OF THE
PRESBYTERIAN CHURCH OF CANADA,
///
IN CONNECTION WITH THE CHURCH OF SCOTLAND,
AS APPEAR TO CONTAIN
STANDING LAWS AND RULES
OF THE CHURCH.

EXTRACTED FROM THE RECORDS,
BY THE REV. ANDREW BELL, DUNDAS,
CLERK OF THE SYNOD.

"Nec Tamen Consumebatur."

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TORONTO:  
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COLLECTION  
OF 1847  
ACTS OF THE SYNOD  
OF THE  
PRESBYTERIAN CHURCH OF CANADA

AS APPEAR TO CONTAIN  
This small Manual, of Acts of the Synod, containing Stand-  
ing Laws and Rules of the Church, has been prepared to meet  
the difficulty, so often felt, of finding Laws and Rules when  
scattered throughout the whole body of the Minutes. From the  
smallness of its size it will be found convenient for reference  
on every occasion when it may be needed.

BY THE REV. ANDREW BELL DUNDAS  
CLERK OF THE SYNOD

TORONTO  
PRINTED BY SCOTT & BATHURST KING STREET

1847  
Price 75cts.—The price to be paid to the Synod Fund.

# ACTS OF THE SYNOD; CONTAINING STANDING LAWS AND RULES OF THE CHURCH.

## I.

### Act anent collecting materials for the early history of this Church.

*Montreal, 4th August, 1838.*

The Synod had transmitted to them, by their Committee on Bills and Overtures, an Overture from Mr. Andrew Bell, respecting the collecting and recording of the materials for the early history of this Church. The Synod unanimously approved of the same, and enjoined the Ministers and Sessions of the several congregations to draw up accounts of their rise and progress, and transmit them to the next meeting of Synod, to be disposed of as the Synod shall determine.

## II.

### Act anent Legislative Enactments.

(*Barrier Act.*)

*Montreal, 6th August, 1838.*

The Synod called for Returns to the Overture on Legislative Enactments. The Synod agreed to transmit the Overture again, in the following amended form:—

“That the Legislative Enactments of this Synod be regularly transmitted to the several Presbyteries, and be in force for only one year, if the dissent of a majority of Presbyteries be intimated to the meeting of Synod next after that, at which such enactments shall have been respectively made.” The Synod, further, resolved, that if the dissent of a majority of the Presbyteries is not intimated at next Session, this Overture shall be held as approved, and the principle thereof applied to the enactments of this and succeeding sessions.

[No Dissent was ever intimated.]



## ACTS OF THE SYNOD III.

**Act prohibiting the collection of contributions for building Churches without the permission and attestation of the Presbytery of the bounds.**

Toronto, 6th July, 1840.

The Synod had transmitted to them, by their Committee on Bills and Overtures, an Overture from Dr. Mathieson, respecting the practice of unauthorized individuals soliciting contributions from the public, for the building of Churches, the abuses to which this practice is liable, and the propriety of subjecting it, so far as this Church is concerned, to suitable regulation. The Overture was read and considered, and, after reasoning, it was moved, seconded, and agreed to, that the Synod enjoin all Ministers and Members of the congregations under their jurisdiction, that before proceeding to collect contributions from the public for building Churches, they shall first have obtained the permission of their respective Presbyteries to that effect, and that accounts of all monies so collected, together with statements of the application of the same, be laid before their respective Presbyteries for their audit, and that attested subscription lists be furnished by Presbyteries, to such applicants as they shall permit to make such contributions.

The Synod called for Returns to the Overture, and the Synod agreed to the following Enactments.

**Act prescribing a Formula for Professors and Trustees of Queen's College.**

Toronto, 7th July, 1840.

The Synod called for the Draft of a Formula to be subscribed by the Literary and Philosophical Professors, and by the Trustees, of Queen's College, and the same was given in by Mr. Robert McGill, and, having been read and considered, was adopted, and is as follows:—

**Formula for the Literary and Philosophical Professors, and Trustees, of Queen's College.**

I, \_\_\_\_\_, do sincerely own and declare the Con-



profession of Faith, agreed upon by the Assembly of Divines at Westminster, to be the Confession of my Faith, and that I own the doctrine therein contained to be the true doctrine, which I will constantly adhere to; — as likewise, that I own and acknowledge the Presbyterian Church Government of this Church, by Kirk Sessions, Presbyteries, Provincial Synods, and General Assemblies, to be the only Government of this Church, and that I will submit thereto, concur therewith, and never endeavour, directly or indirectly, the prejudice or subversion thereof.

**NOTE.** — *Provisions of the Royal Charter of Queen's College, in so far as these are Rules bearing on the actings of the Synod.* — The Royal Charter of Queen's College provides that there shall be Twenty-seven Trustees, of whom Twelve (including the Principal for the time being, who is always to be a Trustee *ex-officio*,) shall be Ministers of the Presbyterian Church of Canada, in connection with the Church of Scotland, and Fifteen Laymen in full communion with the said Church, — the ~~On the first day of the Annual Meeting of the Synod~~ the Three Ministers and Four Laymen whose names stand lowest on the Roll, shall retire from the Board, except in every Fourth year, 1846, 1850, &c., when only Two Ministers and Three Laymen shall retire; — that their places shall be supplied by Three Ministers or Two Ministers, as the case may be, chosen by the Synod on the First Day of its Annual Meeting, whose names shall be placed at the top of the Roll in such order as the Synod shall direct, and by Four Laymen or Three Laymen, as the case may be, chosen by the remaining Laymen on the First Day of the Annual Meeting of Synod, whose names shall be placed in such order as those electing them shall direct, immediately after the names of the Ministers. Retiring Trustees may be re-elected; and in case of new Trustees not being chosen on the First day of the meeting of Synod, the retiring Trustees are to remain in office until their successors are appointed. Trustees, as well as Professors, before entering on the duties of their office, are to subscribe such a Formula, declarative of their adherence to the Standards of the Church, as the Synod shall prescribe. The Lay Trustees are chosen from a List made up in the following manner: —

Each Congregation admitted on the Roll of the Synod, and in regular connection therewith, shall, at a meeting to be specially called from the pulpit, for that purpose, in every

third year (1843, 1846, 1849, &c.), nominate one fit and discreet person, being a member in full communion with the Church, as eligible to fill the office of Trustee of the College; and, the persons' names so nominated, being duly intimated by the several congregations, to the Secretary of the Board of Trustees, in such form as the Board may direct, shall be enrolled by the Board, and constitute the list from which Lay Trustees shall be chosen, to fill the vacancies occurring at the Board during each year."

All Statutes, Rules, and Ordinances, made by the Trustees, in so far as they regard the performance of Divine Service in the College, the duties of the Professors in the Theological Department, and the Studies and Exercises of the Students of Divinity, are to be subject to the inspection of the Synod, and are to be forthwith transmitted to the Clerk of the Synod, and be by him laid before the Synod at their next meeting for their approval, and until such approval, duly authenticated by the signatures of the Moderator and Clerk of the Synod, is obtained, the same shall not be in force.

V.

**Act anent the organizing of Vacant Congregations.**

*Kingston, 3rd July, 1841.*

It was resolved, that, inasmuch as there are, in various parts of the Province, many communities of Presbyterians who desire to be connected with this Church, and to receive ordinances from the Ministers of this Synod, who are not yet ripe for settlement, and inasmuch as the people in this situation, being but seldom visited by our Ministers or Preachers, are apt to be led away by persons who go among them from other denominations; and moreover, as it is highly desirable that our Ministers and Missionaries, when they visit such places should have some persons with whom they can consult and communicate, in regard to the spiritual affairs thereof, as well as for other reasons connected with the advancement of religion in new settlements, the several Presbyteries be enjoined, as they hereby are, to use diligence in organizing such Presbyterian communities, either by ordaining Elders over them, or, if suitable men for the Eldership cannot be found, by appointing Committees to watch over the interests of religion in such localities.

**VI.**  
**Act admitting certain Professors in**  
**Queen's College to sit in the Church**  
**Courts.**

*Montreal, 8th July, 1842.*

The Synod enacted "That every Professor in Queen's College, Kingston, being an ordained Minister of this Church, shall be a constituent member of the Presbytery of Kingston, and as such, entitled to sit in all meetings of Synod."

**VII.**  
**Act anent Public Baptism.**

*Montreal, 9th July, 1842.*

The Synod renew, as they hereby do, their injunction to Presbyteries, to see that the Laws of the Church, in regard to the public administration of the Sacrament of Baptism, be duly observed throughout their respective bounds.

**VIII.**  
**Act anent the visitation of Congregations.**

*Montreal, 9th July, 1842.*

The Reports from Presbyteries, on Ordinary Presbyterial Visitations, having been called for and read, the Synod find that a majority of the Presbyteries are adverse to any scheme of ordinary Presbyterial Visitation in the present circumstances of this Church,—but inasmuch as it is desirable and necessary, in order to the better administration of our discipline, and to a greater unity of operation in our Ecclesiastical measures that Presbyteries and the Synod acquire a more perfect knowledge of the state of every individual congregation under our care than has hitherto been attained, the Synod authorise and enjoin the Presbyteries of this Church severally,—to appoint annually, at their first Ordinary Meeting after the Ordinary Annual Session of the Synod, one or two of their members as Visitors for



their respective bounds,—whose duty it shall be to visit every congregation under the care of the Presbytery by whom they are respectively appointed, due notice having been given by the Visitor, or Visitors, of the time when such visitation is to be held in each congregation; to address congregations on the relative duties of pastor and people; to meet with the Sessions,—deacons, trustees, or managers; to inspect their records; to enquire generally as to the discharge of duties by the office-bearers and members of the congregations, and in particular to ascertain the state of Sabbath Schools and classes for the spiritual training of the young, and other modes of pastoral agency—and the amount of annual contributions for Home and Foreign Missions; to obtain answers on the various points embodied in the Statistical Schedule; to direct attention and obtain information in regard to all matters respecting which special duties have been devolved on Sessions and Congregations by the Synod or Presbytery; to give counsel as the Visitor or Visitors shall see cause in any matter affecting the interests of congregations that may be referred to them, and, in conjunction with the Minister to prepare a Report on the state of religion in each congregation, to be laid before the Presbytery of the bounds for their deliverance thereon at the meeting thereof next preceding the Annual Session of Synod; such Report, including all particulars above specified, together with said deliverance, to be transmitted to the Synod, along with the Records of the Presbytery.

#### IX.

**Act appointing an Annual Collection for the Synod's French Mission in Lower Canada.**

*Montreal, 12th July, 1860.*

The Synod appointed an Annual Collection to be made in all the congregations of this Church in aid of the French Protestant Mission.

**X.**  
**Act prohibiting Law Agents, as such, from acting in any of the Church Courts.**

*Toronto, 7th July, 1843.*

The Synod ordained that, from and after the present Session of Synod, no Law Agents shall be allowed to act as such in any of the Courts of this Church.

**XI.**  
**Act limiting the Session of College for Divinity Students, to six months.**

*Toronto, 12th July, 1843.*

The Synod took up the consideration of the Resolution of the Trustees of Queen's College, in regard to resuming the Session of College for Students of Divinity, to six months, and the same was approved of.

**XII.**  
**Act anent the Relations of this Synod with other Churches.**

*Kingston, 9th July, 1844.*

Whereas the peace and well-being of the Church in this Province are, at the present time, seriously endangered by disputes and difficulties respecting the position of this Church, the Synod resolves and declares—

1. That the spiritual and ecclesiastical jurisdiction of this Synod, notwithstanding any interpretations which may have been, or may be, put on its "connection with the Church of Scotland," has always been, now is, and is to be, free, final, and uncontrolled.

2. That the members of this Synod feel themselves called on by the present circumstances of the Church to pledge themselves to maintain such independent jurisdiction of the Synod over all its members and over the Church in this colony, against all interference from any

quarter whatever; and to frame an Act declaring such supreme jurisdiction—the said Act to be read over to all Ministers and Probationers, before their admission into this Synod, to the end that it may be clearly understood by them that the maintenance of such jurisdiction is a condition of their admission.

2. That the Presbyteries under the jurisdiction of this Synod be directed to receive Ministers and Probationers from all Presbyterian Churches holding the same standards of doctrine and discipline as this Church, who shall produce sufficient evidence of their character and good standing, and of their having undergone such course of education, literary, scientific, and theological, as has been in ordinary cases held to be sufficient by this Church as a preparation for the office of the Holy Ministry, upon their coming under the usual vows.

3. That in accordance with its resolutions passed in July, 1845, this Synod do anew record their gratitude to God, that He, in His good Providence, does not call on them to enter on the discussion or decision for themselves of the practical bearings of those principles which have so unhappily divided the Church of Scotland, in respect either to any infringement of the spiritual independence of the Church, or of the privileges of its members, as to the connection which subsists between the Church of Scotland and this Synod—that connection neither implying a spiritual jurisdiction on the part of the former over the latter, nor involving the latter in a responsibility for any actions of the former:—And this Synod do now, as always, recognize the imperative obligations laid on them, of seeking the peace and well-being of the Presbyterian Church of Canada, at the expense of any sacrifice, save that of consistency and principle.

**Act enjoining Ministers to give more full and frequent instructions in regard to Presbyterian Church Government.**

The Synod, having had their attention called to the



necessity for increased diligence in diffusing among their people sound and scriptural information on the subject of Presbyterian Church Government, agreed in conformity with the instructions given by them last year to direct, as they hereby do direct, the Ministers of this Church to bring the subject of Church Government more fully and prominently before their congregations from time to time; and Presbyteries are enjoined to confer occasionally as to the best way in which the subject may be introduced in the course of pastoral ministrations, and to take order that it is so introduced by every several Minister.

**Act declaring the Spiritual Independence of the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland.**

Montreal, 20th September, 1844.

Whereas this Synod has always, from its first establishment, possessed a perfectly free and supreme jurisdiction over all the Congregations and Ministers in connection therewith; and although the independence and freedom of this Synod in regard to all things spiritual cannot be called in question, but has been repeatedly, and in most explicit terms, affirmed, not only by itself, but by the General Assembly of the Church of Scotland; yet, as in present circumstances,

the Colonial Churches which have been thus organized, we feel that the spiritual interests of the Scottish population may safely be entrusted—that they no longer require our direct interference—and that, whatever benefits we wish to communicate, may be best conveyed through the officers of the different Synods or Presbyteries. This is due, we should fondly hope, in most instances, to the character of the individuals whom we ordained as Ministers for Colonial stations. The spirit of Presbytery also seems to us to require that the right of government should not, in ordinary cases, extend beyond the limits of representation. And these limits

It is expedient that this independence be asserted by a special act.

It is therefore hereby declared, That this Synod has always claimed and possessed, does now possess, and ought always, in all time coming, to have and exercise a perfectly free, full, final, supreme and uncontrolled power of jurisdiction, discipline and government, in all matters, ecclesiastical and spiritual, over all the Ministers, Elders, Church Members and Congregations under its care, without the right of review, appeal, complaint or reference, by or to any other Court or Courts whatsoever, in any form or under any pretence; and that in all cases that may come before it for judgment, the decisions and deliverances of this Synod shall be final:—And this Synod further declares, that if any encroachment on this supreme power and authority shall be attempted or threatened, by any person or persons, court or courts whatsoever, then the Synod, and each and every member thereof, shall, to the utmost of their power, resist and oppose the same:—And whereas the words in the designation of the Synod, “in connection with the Church of Scotland,” have been misunderstood or misrepresented by many persons, it is hereby declared, that the said words imply no right of jurisdiction or control, in any form whatever, by the Church of Scotland over this Synod, but denote merely the connection of origin, identity of standards, and ministerial and church communion:—And it is further enacted and

may safely be determined by considerations of expediency, from the inherent power of the Presbyterian system, as a scriptural institute, to adapt itself to every variety of circumstances. But, while we decline all authoritative jurisdiction over the Colonial Presbyterian Churches, we can never cease to cherish the warmest interest in their welfare. *General Assembly's Letter—Edinburgh, 1842, page 33.*

The Church of Scotland has never claimed any authority, nor exercised any control over your Synod; neither has she ever possessed, nor desired to possess the right of any such interference. Her ambition and her efforts have been directed to the cultivation of brotherly affection, and the rendering of pecuniary aid to those who had many claims on her regard. *General Assembly's Letter—Edinburgh, 1842, page 33.*

declared, that this supreme and free jurisdiction is a fundamental and essential part of the constitution of this Synod; and that this may be fully known to all those who may hereafter seek admission into our Church, it is enjoined that all the Presbyteries shall preserve a copy of this Act, and cause it to be read over to, and assented to, by every Minister and Probationer who may apply for ordination or induction into any Pastoral Charge.

Sections of such vacant congregations only, as have been fully organized by their once having had Ministers, shall be admissible as constituent Members of Presby-

**Act about the administration of ordinances by Ministers not having a Pastoral Charge.**

*Montreal, 21st September, 1844.*

The Synod had next transmitted to them, by their Committee of Bills and Ordinances, an Ordinance from the Presbytery of Montreal, about the administration of ordinances by Ministers not having Pastoral Charges. The Synod, in conformity with the recommendation of the committee, and after full deliberation, ordained that no Minister of this Church, not having a Pastoral Charge, shall administer Baptism, dispense the Lord's Supper, or celebrate Marriages, within the bounds of any Presbytery, without the sanction of such Presbytery having been previously obtained, or within the bounds allotted to any settled Minister, without the consent of such Minister; and that any contravention of this rule shall incur censure, and, if repeated, such other censure of discipline as the Presbytery of the bounds may see meet to inflict.

**IV.**

**Act defining the extent of the Representative Eldership in certain classes of Congregations.**

*Montreal, 22nd September, 1844.*

The Synod had next transmitted to them, by their



Committee of Bills and Overtures, an Overture from the Presbytery of Bathurst, that the Synod would adopt some specific rule, defining the extent to which Sessions in vacant congregations, and where two or more congregations are under the charge of one Pastor, should be represented in the Superior Courts. The Synod, having fully considered this Overture, agreed to declare, as they hereby do declare, that Elders representing the Sessions of such vacant congregations, only, as have been fully organized by their once having had Ministers, shall be admissible as constituent Members of Presbytery and Synod, on their being duly elected and commissioned at a meeting of Session moderated in by a Minister appointed by the Presbytery, that where two or more congregations are, or have been, under one Minister's charge, with separate Sessions in each, the whole Eldership in such Ministerial charge shall, for the purpose of representation in the higher courts, be considered as one Session, and shall be represented in Presbytery and Synod by one Elder, to be elected by each Session in turn, or by a joint meeting of the whole, as may be most convenient:—and that while Elders from Missionary stations and newly formed congregations, that have never been fully organized by having settled Ministers, shall not be considered admissible as members of Presbytery and Synod, Presbyteries are nevertheless instructed to encourage such Elders to be present at their meetings, in order that they may have an opportunity of learning the condition of the new congregations, and of giving them such counsel and assistance as their case may require.

### XVII.

**Act requiring Presbyteries to send up to the Synod Annual Reports of their principal proceedings.**

Montreal, 23rd September, 1844.

The Synod had transmitted to them, by their Committee of Bills and Overtures, an Overture anent Annual Reports from Presbyteries of such of their principal

proceedings as may be of historical interest, for the purpose of being printed along with the minutes of Synod. The Synod agreed to the said overture, and instructed Presbyteries to send up to the annual meeting of Synod, along with their records, a short and well condensed report of their principal proceedings during the past year, for the purpose of being embodied in the minutes of Synod, including the licensing of Probationers, the ordination and admission of Ministers, the removal of Ministers by death or otherwise, the formation of new Congregations, the organization of new Sessions, the employment of Missionaries, their principal Missionary operations, and all such matters as it would be desirable should appear in the printed minutes of Synod, as historical data.

Act to amend Presbyterian Clerks collecting  
for the Synod Fund.

XVIII.

Act to amend greater punctuality in the  
electing of Representative Elders by  
Sessions.

Whereas many of the Kirk Sessions connected with the Synod are very neglectful of their duty in returning Representative Elders to the Church Courts, the Synod enjoin Sessions to use greater diligence in this matter, and instruct Presbyteries to employ all competent means to secure a compliance with this injunction on the part of Sessions:—And the Synod, further, enact that all Representative Elders shall be elected within two months after the annual meeting of Synod, to attend the meetings of the Presbytery of the bounds, and the ensuing annual meeting of the Synod; that in case of death or dissolution, a new election shall be made within one month of the same; and that the extracts of minutes of such elections, duly certified, shall be laid on the table of Presbyteries at their first ordinary meeting after such elections, and that the same shall be taken place according to the Church

**Act declaring the Act anent the Spiritual Independence of the Synod to be a Standing Law of the Church.**

Kingston, 8th July, 1845.

The Synod having called for the reports of the Synod in regard to the Act declaring the spiritual independence of this Synod, passed at last meeting and no objections having been reported by any of the Presbyteries, the Synod did, and hereby do, confirm the said Act into a Standing Law of this Church.

XX

**Act anent Presbytery Clerks collecting for the Synod Fund.**

XXV

Kingston, 8th July, 1845.

The Synod direct, that hereafter it shall be part of the duty of Presbytery Clerks to collect from the Sessions and Congregations within the bounds, the annual contributions to the Synod Fund, and to pay over the same to the Treasurer, and that they use their diligence in urging on Sessions and Congregations the necessity for more liberal and more punctual payment.

Whereas the Synod are very negligent of their duty in retaining the Synod Representative Elders to the Church Courts, the Synod in their Sessions to use greater diligence in this matter, they anent the minimum number of families in a Congregation, and the minimum stipend, in order to the settlement of a Minister.

Kingston, 11th July, 1845.

The Synod strictly enjoin Presbyteries, not to settle any Minister without express authority from the Synod, and to inform the Session where they have not clear evidence that there are seventy-five families in the Congregation, and that the Church is in a state of prosperity.



**Act prohibiting Law Agents, as such, from acting in any of the Church Courts.**

Toronto, 7th July, 1843.

The Synod ordained that, from and after the present session of Synod, no Law Agents shall be allowed to act as such in any of the Courts of this Church.

**Act limiting the Session of College, for Divinity Students, to six months.**

Toronto, 12th July, 1843.

The Synod took up the consideration of the Resolution of the Trustees of Queen's College, in August 2, to continue the Session of College, for Students of Divinity, twelve months, and the same was approved after the consideration of the principles of the Church of Scotland, in respect to the independence of the spiritual jurisdiction.

**Act against the Relations of this Synod with other Churches.**

Kingston, 21st July, 1844.

Whereas the peace and well-being of the Church in this Province are, at the present time, seriously endangered by dissensions and divisions respecting the position of the Church, the Synod resolves and declares

That the spiritual and ecclesiastical jurisdiction of this Synod, notwithstanding any interpretations which may have been, or may be, put on its "connection with the Church of Scotland," has always been, now is, and ought to be, everlastingly and unchangeably maintained.

That the members of this Synod feel themselves called on by the present circumstances of the Church to pledge themselves to maintain such spiritual jurisdiction of the Synod over all its members and over the Church in this colony, against all interference from any

quarter whatever; and to frame an Act declaring such supreme jurisdiction—the said Act to be read over to all Ministers and Probationers, before their admission into this Synod, to the end that it may be clearly understood by them that the maintenance of such jurisdiction is a condition of their admission.

That the Presbyteries under the jurisdiction of this Synod be directed to receive Ministers and Probationers from all Presbyterian Churches holding the same standards of doctrine and discipline as this Church, who shall produce sufficient evidence of their character and good standing, and of their having undergone such course of education, literary, scientific and theological, as has been in ordinary cases held to be sufficient by this Church as a preparation for the office of the Holy Ministry upon their coming under the usual vows.

That in accordance with its resolutions passed in July, 1843, this Synod do anew report their gratitude to God; that He, in His good Providence, does not call on them to enter on the discussion or decision, for themselves, of the practical bearings of those principles which have so unhappily divided the Church of Scotland, in respect either to any infringement of the spiritual independence of the Church, or of the privileges of its members, or to the connection which subsists between the Church of Scotland and this Synod,—that connection neither implying a spiritual jurisdiction on the part of the former over the latter, nor involving the latter in a responsibility for any actions of the former:—And this Synod do now, as always, recognize the unperishable obligations laid on others, of seeking the peace and well-being of the Presbyterian Church of Canada, at the expense of any sacrifice, save that of consistency and principle.

Act enjoining Ministers to give careful and frequent instructions in regard to Presbyterian Church Government.

Kingston, 10th July, 1844  
The Synod, having had their attention called to the

activity for increased diligence in diffusing among their people sound and scriptural information on the subject of Presbyterian Church Government, agreed in conformity with the instructions given by them last year, to direct, as they hereby do direct, the Ministers of this Church to bring the subject of Church Government more fully and prominently before their congregations from time to time; and Presbyteries are enjoined to confer occasionally as to the best way in which the subject may be introduced in the course of pastoral ministrations, and to take order that it is so introduced by every several Minister.

XIV.  
**Act declaring the Spiritual Independence  
of the Synod of the Presbyterian Church  
of Canada, in connection with the  
Church of Scotland.**

*Montreal, 20th September, 1844.*

Whereas this Synod has always, from its first establishment, possessed a perfectly free and supreme jurisdiction over all the Congregations and Ministers in connection therewith; and although the independence and freedom of this Synod, in regard to all things spiritual, cannot be called in question, but has been repeatedly, and in most explicit terms, affirmed, not only by itself, but by the General Assembly of the Church of Scotland; yet, as in present circumstances, to the Colonial Churches which have been thus organized; we feel that the spiritual interests of the Scottish population may safely be entrusted—that they no longer require our direct interference; and that, whatever benefits we wish to communicate, may be best conveyed through the office-bearers of the different Synods or Presbyteries: This, indeed, we should fondly hope, in most instances, to the character of the individuals whom we ordained as Ministers for Colonial stations. The spirit of Presbyterianism seems to us to require that the right of government should not, in ordinary cases, extend beyond the limits of representation; and these limits



it is expedient that this independence be asserted by a special solemn declaration. It is therefore hereby declared, That this Synod has always claimed and possessed, and now possesses and ought always, in all time coming, to have and possess a perfectly free, full, final, supreme and uncontrolled power of jurisdiction, discipline and government in all matters, ecclesiastical and spiritual, by and through its Ministers, Elders, Church Members and Congregations under its care, without the right of review, appeal, complaint or reference, by or to any other Court or Courts whatsoever, in any form or under any pretence; and that in all cases that may come before it for judgment, the decisions and deliverances of this Synod shall be final. — And this Synod further declares, that if any one or more persons, court or courts whatsoever, then the Synod, and each and every member thereof, shall, to the utmost of their power, resist and oppose the same. And whereas the words in the designation of the Synod, "in connection with the Church of Scotland," have been misunderstood or misrepresented by many persons, it is hereby declared, that the said words imply no right of jurisdiction or control, in any form whatever, by the Church of Scotland over this Synod, but denote merely the connection of origin, identity of standards, and ministerial and Church communion. And it is further enacted and declared, that the independence of this Synod shall not be determined by considerations of convenience, from the inherent power of the Presbyterian system, as a scriptural institute, to adapt itself to every variety of circumstances. (But while we decline all authoritative jurisdiction over the General Presbyterian Churches, we can never cease to cherish the warmest interest in their welfare.) General Assembly's Letter to Ministers, 1842, page 88. — The Church of Scotland has never claimed any authority, nor exercised any control over your Synod; neither has it ever possessed nor desired to possess the right of any such interference. Her jurisdiction and her efforts have been limited to the cultivation of brotherly affection, and the rendering of pecuniary aid to those who had many rights higher than that of General Assembly's Letter to Ministers, 1844, page 88.

declared) that this supreme and free jurisdiction is a fundamental and essential part of the constitution of this Synod; and that this may be fully known to all those who hereafter seek admission into our assembly it is decided, that all the Presbyteries shall preserve a copy of this Act, and cause it to be read over to, and signed by every Minister and Probationer who they apply for admission or admission into any Pastoral Charge; as also, as a recommendation, only, as have been fully organized by the General Assembly of the Synod, to be admitted as constituent members of Presby-

**Act anent the administration of ordinances by Ministers not having a Pastoral Charge.**

*Montreal, 21st September, 1844.*  
The Synod had next transmitted to them, by their Committee of Bills and Overtures, an Overture from the Presbytery of Montreal anent the administration of ordinances by Ministers not having Pastoral Charges. The Synod, in conformity with the recommendation of the committee, and after full deliberation, ordained that no Minister of this Church, not having a Pastoral Charge, shall administer Baptism, dispense the Lord's Supper, or celebrate Marriages, within the bounds of any Presbytery, without the sanction of such Presbytery, having been previously obtained, or within the bounds allotted to any settled Minister, without the consent of such Minister; and that any contravention of this rule shall incur censure, and, if repeated, such other exercise of discipline as the Presbytery of the bounds may see meet to inflict.

**Act defining the extent of the Representative Eldership in certain classes of Congregations.**

*Montreal, 23rd September, 1844.*  
The Synod had next transmitted to them, by their

Committee of Bills and Overtures, an Overture from the Presbytery of Ashurst, that the Synod would adopt some specific rule, defining the extent to which Sessions in vacant congregations, and where two or more congregations are under the charge of one Pastor, should be represented in the Superior Courts. The Synod having fully considered this Overture, agreed to declare, as they hereby do declare, that Elders representing the Sessions of such vacant congregations, only, as have been fully organized by their once having had Ministers, shall be admissible as constituent Members of Presbyteries and Synods, their being duly elected and commissioned at a meeting of Session introduced in by a Minister appointed by the Presbytery; that where two or more congregations are, or have been, under one Minister's charge, with separate Sessions in each, the whole Eldership in such Ministerial charge shall, for the purpose of representation in the higher courts, be considered as one Session, and shall be represented in Presbytery and Synod by one Elder, to be elected by each Session in turn, or by a joint meeting of the whole, as may be most convenient; and that while Elders from missionary stations and newly formed congregations that have never been fully organized by having added Ministers, shall not be considered admissible as members of Presbyteries and Synods, Presbyteries are nevertheless instructed to encourage such Elders to be present at their meetings, in order that they may have an opportunity of learning the condition of the new congregations, and of giving them such counsel and assistance as their case may require.

#### XVII.

**Act requiring Presbyteries to send up to the Synod Annual Reports of their principal proceedings.**

Montreal, 23rd September, 1844.

The Synod had transmitted to them, by their Committee of Bills and Overtures, an Overture anent Annual Reports from Presbyteries of such of their principal



proceedings as may be of historical interest, for the purpose of being printed along with the minutes of Synod. The Synod agreed to the said venture, and instructed Presbyteries to send up to the annual meeting of Synod, along with their records, a short and well condensed report of their principal proceedings during the past year, for the purpose of being embodied in the minutes of Synod,—including the licensing of Probationers, the ordination and admission of Ministers, the removal of Ministers by death or otherwise, the formation of new Congregations, the organization of new Sessions, the employment of Missionaries, their principal Missionary operations, and all such matters as it would be desirable should appear in the printed minutes of Synod, as historical data.

Act anent Presbyteries Clerks collecting for the Synod Fund.

## XVIII.

Act anent greater punctuality in the electing of Representative Elders by Sessions.

Whereas many of the Kirk Sessions connected with the Synod are very neglectful of their duty in returning Representative Elders to the Church Courts, the Synod enjoin Sessions to use greater diligence in this matter, and instruct Presbyteries to employ all competent means to secure a compliance with this injunction on the part of Sessions:—And the Synod, further, enact that all Representative Elders shall be elected within two months after the annual meeting of Synod, to spend the meetings of the Presbytery of the bounds, and the ensuing annual meeting of the Synod; that in case of death or demission, a new election shall be made within one month of the same; and that the correct minutes of such elections, duly certified, shall be laid on the table of Presbyteries at their first regular meeting after such elections shall have taken place, and at any meeting

**XIX. Act declaring the Act anent the Spiritual Independence of the Synod to be a Standing Law of the Church.**

Kingston, 8th July, 1845.  
The Synod having called for the reports of Presby-  
teries in regard to the Act declaring the spiritual inde-  
pendence of this Synod, passed at last meeting, and no  
objections having been reported by any of the Presby-  
teries, the Synod did, and hereby do, convert the said  
Act into a Standing Law of the Church.

XX.

**Act anent Presbytery Clerks collecting for the Synod Fund.**

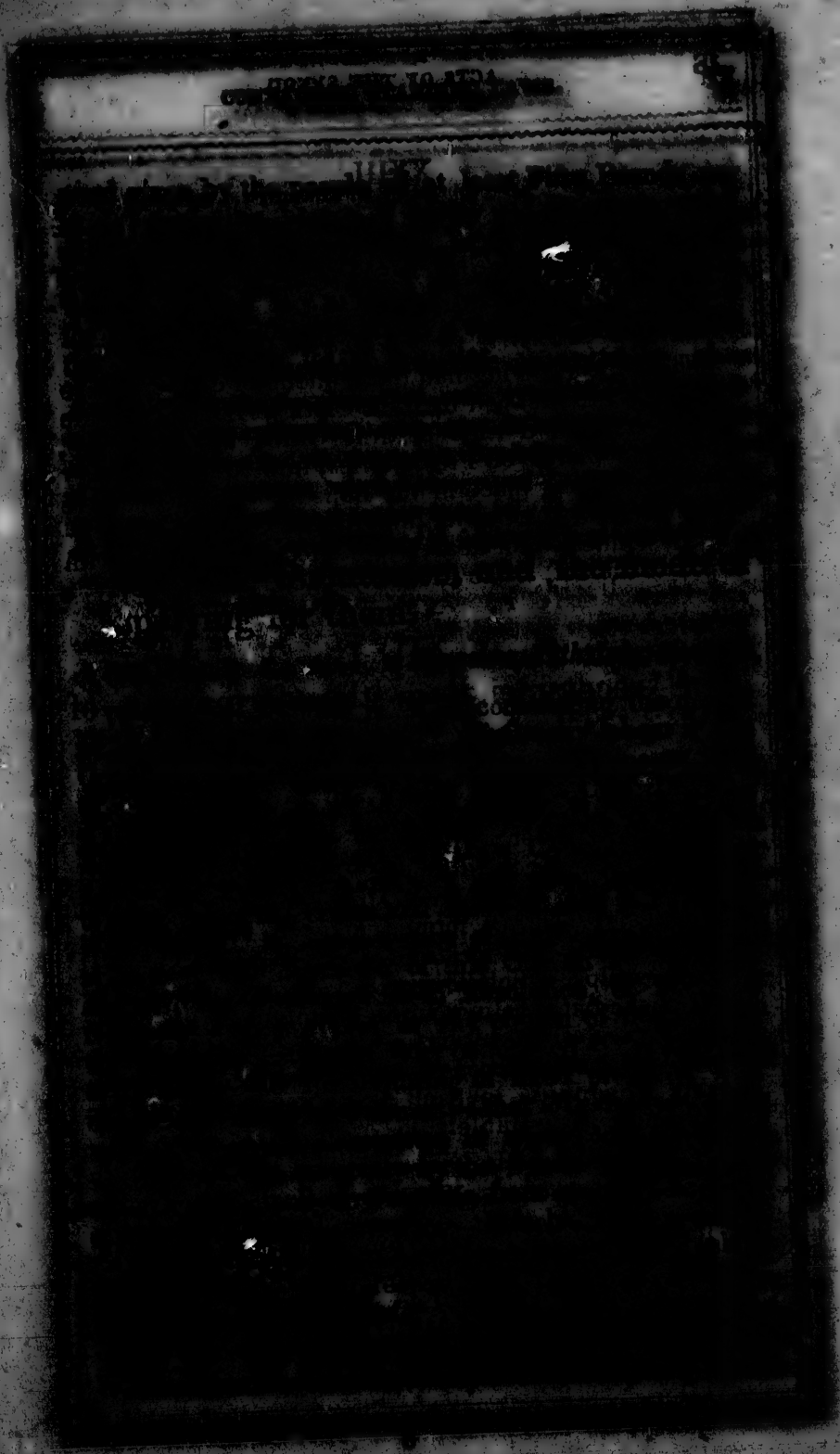
Kingston, 8th July, 1845.  
The Synod do hereby declare that hereafter it shall be part of the  
duty of Presbytery Clerks to collect, from the Sessions  
and Congregations within the bounds, the annual con-  
tributions to the Synod Fund, and to pay over the same  
to the Treasurer, and that they use their diligence in  
urging on Sessions and Congregations the necessity for  
more liberal and more punctual payment.

XXI.

**Act anent the minimum number of families in a Congregation, and the minimum stipend, in order to the settlement of a**

Kingston, 11th July, 1845.  
The Synod do hereby enjoin Presbyteries to inform  
the Sessions and Congregations within their bounds, and to  
advise them to settle a Minister, where they have not already  
done so, in order to the settlement of a Minister.

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XXIII.

Act requiring all alterations in Presby-  
tery Rolls to be intimated immediately  
to the Synod Clerk.

Kingston, 14th July, 1846.

The Synod, having had their attention called to the  
inconvenience experienced by their Clerk in making up the  
Returns by their time to time called upon to make,  
upon the Clergy or Presbyteries, immediately on any  
alteration taking place in the Rolls of their respective  
Presbyteries, whether in the case of admission, trans-  
fer, dismissal, or death, to intimate the same, with  
the date thereof, to the Clerk of Synod, without delay.

XXIV.

Act recommending the formation of  
Clerical Associations.

Toronto, 24th September, 1847.

Whereas, it is desirable, with the view of securing  
after a higher order of piety, as well as for obtaining  
greater aptness for the discharge of certain weighty and  
difficult parts of Pastoral duty, that one or more Clerical  
Associations should be formed in each Presbytery for  
devotional exercises, for free converse, and for mutual  
brotherly help; which things can be but imperfectly  
accomplished at meetings intended solely for the transac-  
tion of Ecclesiastical business, the Synod therefore  
recommends the formation of one or more Clerical Fel-  
lowship Meetings, in each Presbytery, where it is  
practicable and desirable.

XXV.

Act appointing the Model Constitution for  
New Churches.

Toronto, 13th September, 1847.

The Synod called for persons upon the subject of



stitution, which were given in. Thereafter, the Synod had read the said Constitution clause by clause, and amended the same. The Synod then adopted the Constitution as now revised and amended, and enjoined Presbyteries not to receive any congregation into the Church till they have solemnly adopted this Constitution.

#### MODEL CONSTITUTION FOR NEW CHURCHES.

I. The property of the Church, and all real estate belonging to, or that may hereafter be acquired by, this Congregation, shall be vested in Trustees, to be held by them and their successors in office, in Trust for the sole and proper use of the congregation of \_\_\_\_\_, adhering to the Presbyterian Church of Canada, in connection with the Church of Scotland.

II. The Trustees shall be persons in full communion with the Church, or who shall declare their intention of being so at the earliest opportunity. They shall be elected at a meeting of the congregation called for the purpose by public intimation after Divine service, on at least one Sabbath, ten days previous to the day of meeting. They shall be chosen by the majority of votes of the male persons present, of the full age of Twenty-one years, who are members, or adherents, of this Church, and profess their intention to support religion in this congregation, and who reside within the bounds of the same.

III. The Trustees shall hold office until disqualified by removal from the congregation or by ceasing to be members of the Church, or until they shall resign. Vacancies occurring in the number of Trustees shall be supplied at a meeting called in the manner specified in the preceding section.

IV. The persons who shall be eligible for the Office of the Ministry in this congregation shall be:—1. Any regularly ordained Minister or duly licensed Probationer of the Presbyterian Church of Canada, in connection with the Church of Scotland. 2. Any Minister or Probationer of the Church of Scotland. 3. Any Minister or Probationer of any Presbyterian Body holding the Westminster Confession of Faith and the Larger and Shorter Catechisms, who shall be willing to take the

usual ordination vows and obey the Laws and Rules of the Presbyterian Church of Canada, in connection with the Church of Scotland; and who shall have been received as a Preacher by the Presbytery of the bounds; it being always understood that such Minister or Preacher shall have undergone such course of education, Literary, Scientific and Theological, as is now, or may hereafter be, required by the Synod, or other Supreme Court of this Church.

V. The Minister of this Church shall be a member of the Synod, or other Supreme Court, of the Presbyterian Church of Canada, in connection with the Church of Scotland, and shall acknowledge that Synod, or other Supreme Court, as his Supreme Ecclesiastical Jurisdiction, so long as he shall continue to be Minister of this Church.

VI. The first Minister shall be called by a majority of votes of all male persons above Twenty-one years of age who shall be resident within the bounds of the congregation, and who profess their adherence to the Presbyterian form of worship and their willingness to join with and support this Church. But in all future calls there shall be a majority of male communicants of at least three months standing on the Roll, and free of Church censure, in order to render the call valid.

VII. All meetings for the election of a Minister shall be called by authority of the Presbytery, by public invitation after Divine Service, on at least one Sabbath day previous to the day of meeting; and all the procedure shall be in accordance with the Laws and Rules of the Presbyterian Church of Canada, in connection with the Church of Scotland, and such regulations as the Presbytery of the bounds may adopt, agreeably to the said Laws and Rules.

VIII. The temporal affairs of the Church shall be managed by a Committee of not less than Five, and not more than seven, who shall be members of the congregation, and who shall be styled the Managers of the Temporal affairs of the congregation. The manner of election shall be as in Article II. A majority shall be required.

IX. At the annual meeting of the congregation, the

two senior Managers, or the two whose names stand highest on the list, shall retire from office, and the meeting shall choose two in their room, whose names shall be placed at the foot of the list. The retiring Managers may be re-elected.

X. Any Manager who shall leave the bounds of the congregation, or cease to be a member of the Church, shall be disqualified for holding office. Casual vacancies occurring during the year, from these or any other causes, shall be temporarily supplied by the remaining Managers until the annual meeting, when the nomination shall be confirmed, or set aside, as it may seem proper to the congregation.

XI. The duties of the Managers shall be:—to take care of the Church, and all buildings belonging to the congregation;—to attend to the repairs, insurance, cleaning, warming and lighting of the Church, and the providing of all things necessary for the decent and orderly performance of Divine Worship;—to see to the due support of the Minister, to arrange with him in regard to the amount of stipend, and the times and mode of payment, and to sign engagements, if necessary, in name and on behalf of the congregation;—and to provide ways and means for raising the amount required for the Minister's support, and the other necessary expenses of the Church;—for which purpose they shall have power to let the seats in the Church, to fix the rent, appoint the time and manner of letting, and the times and mode of payment.

XII. The annual meeting of the congregation shall be held on the first day of the year. It shall be notified by public notice, after Divine service on the preceding Sabbath, and shall consist of all male persons above Twenty years of age, who shall be supporters of the ordinances of religion therein. The meeting shall appoint a Chairman and Secretary, from among their own number, and the proceedings shall be recorded in the Minute Book of the Managers.

XIII. At the annual meeting, the proceedings of the Managers for the previous year shall be submitted for inspection, and approved or disapproved, as shall seem proper, the accounts of revenue and expenditure by

the Managers shall be laid before them; two new Managers shall be elected; and all business requiring for the welfare of the congregation shall be transacted, — provided that nothing be done repugnant to this Constitution, or to the Laws of the Presbyterian Church of Canada, in connection with the Church of Scotland.

XIV. The Presbyter shall be appointed by the Kirk Session, and the Church Officer by the Minister.

XV. In regard to all things not specified herein, the Laws, customs and usages of the Presbyterian Church of Canada, in connection with the Church of Scotland, shall be followed; — and if any difference of opinion arise, as to the meaning or interpretation of any part of this Constitution, it shall be referred to the Presbytery of the bounds for advice and decision thereon, subject to appeal to the Synod, or other Supreme Court, whose deliberations shall be final.

## XXVI.

### Act anent the Ministers' Widows' and Orphans' Fund.

Toronto, 28th September, 1867.

The Act incorporating the Managers of the Ministers' Widows' and Orphans' Fund was laid upon the Table. The Synod having maturely considered the provisions of the Act, and the proper means of carrying them into effect, agreed to the following deliverance: —

That Whereas, to the working of the Act incorporating the Managers of the Ministers' Widows' and Orphans' Fund, it is required that notice be taken, it is hereby enacted that each Minister shall pay annually the sum of Three Pounds, for the securing of the payment of which each Presbytery shall cause Bonds to be sent for to be signed in duplicate by each Minister within the bounds, and deliver the same to the Synod's Clergy Board Commissioners to retain in their hands until annual payment of Three Pounds is duly received out of the payments rendered him by said Commissioners, one copy of which Bond shall be forwarded to the Board of Commissioners and the Duplicate kept by



the Clerk of the Presbytery. The Bond to be as follows:—

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186

I, \_\_\_\_\_ Minister of \_\_\_\_\_ and member of the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, hereby authorise the Board of Commissioners of Clergy Reserves to retain the yearly sum of Three Pounds, Halifax Currency, in half-yearly instalments out of the annual payments that may be rendered to me as a Minister of said Church and Synod, during the period of my incumbency, and something within the bounds of this Church, which annual sum of Three Pounds shall be paid over to the Managers of the Ministers' Widows and Orphans' Fund, and their receipt shall be received by me in lieu of the same.

Minister of \_\_\_\_\_

And farther, Presbyteries are enjoined not to ordain or admit any Probationer or Minister into a Pastoral charge, without his first having signed the above Bond in the presence of the Presbytery, and which Bond shall be attested by the Moderator and Clerk.

And farther, each Minister is enjoined to have a yearly collection on the first Sabbath of January in behalf of said Fund, and to use all diligence to obtain donations or subscriptions from his people to be paid to the Treasurer of the Fund:—and Presbyteries are enjoined to see that Ministers show all diligence in this matter, and send yearly returns to the Synod.

The Synod agree that the first instalment for the Widows and Orphans' Fund shall be payable on the Saturday immediately 1849:—and that Synods, Clergy Reserves Commissions are required to see that the Bonds are forwarded to them in due time, and to make

of the same a condition of the licence of Ministers, and the licence of Ministers to be granted by the Board of Commissioners and the Synod.

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"3. That every such Probationer or Minister shall reside at least one year within the bounds of the Synod after his being received, and be reported to the Synod by the Presbytery, before he can receive a call from any congregation in this Church; but he may, in the meantime, be employed as a Missionary, under the direction of the Presbytery.

"4. That the whole proceedings of each Presbytery in regard of receiving any such Probationer or Minister, shall be read and approved in Synod, previous to his being ordained or inducted as a Minister of this Church.

"5. That before receiving any Probationer or Minister known to be under censure of any Church, in communion with this Church, Presbyteries shall correspond with such Church."

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XXIX.

**Act anent Presbyterian Visitations.**

*Toronto, 14th September, 1847.*

The Synod had transmitted to them, by their Committee of Bills and Overtures, an Overture from Mr. George anent more fully carrying out the provisions of the Act of 1842 anent Presbyterian Visitations.—The Synod, having referred to the Act of 1842 anent Visitations, after due deliberation, recommend that Presbyteries shall take full inspection of the several congregations within their bounds by Presbyterian Visitations, or such other means as may by the Presbyteries be deemed more for edification, and report to the Synod at next meeting.

